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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,137	12/15/2003	Thomas E. Creamer	BOC9-2003-0093 (464)	3692

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EXAMINER	
PATEL, JATIN K	

ART UNIT	PAPER NUMBER
2609	

MAIL DATE	DELIVERY MODE
06/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/736,137	CREAMER ET AL.	
	Examiner	Art Unit	
	Jatin K. Patel	2609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12/15/2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *15 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *7/19/2004, 5/1/2007*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Christoffel (Pub. 2002/0136226 A1 09/26/2002) in view of Fors (US 6931249 Fil. 01/23/2003)

Regarding claim 1, Christoffel teaches method of roaming between mobile and wireless network comprising: (Title:teaches method and systems for enabling seamless roaming of mobile device among wireless network); detecting wireless network (paragraph 126); querying the wireless network for an IP address for mobile device (paragraph 142, fig. 20); receiving IP address (paragraph 143);

Christoffel does not teaches about to send message to MSC of mobile network using control channel, where in the message instructs the MSC to route voice data intended for the mobile device to the IP address via linked gateway and wireless network.

Fors teaches to send message to MSC of mobile network using control channel (Column 6, lines 55-65, Fig 3), where in the message instructs the MSC to route voice data intended for the mobile device to the IP address via linked gateway and wireless network (Column 5, line 60 – column 6, line 5 and column 6, lines 55-65).

Therefor it would have been obvious to one of ordinary skill in the art at the time of invention, combining Christoffel and Fors to messaging to enable either the MS or the source MSC to identify this target WLAN AP (Fors, Column 2, lines 59-64, Background of invention).

Regarding claim 2, Christoffel and Fors teaches the method as applied to claim 1 as above, Christoffel further teaches receiving voice data from gateway via wireless network (Page 1, paragraph 5, fig 8).

Regarding claim 3, Christoffel and Fors teaches the method as applied to claim 1 as above, Fors further teaches about configure MSC to route voice data intended for the mobile device to the IP address via linked gateway and wireless network (Page 4, lines 15-28).

Regarding claim 4, Christoffel and Fors teaches the method as applied to claim 1 as above, Christoffel further teaches about mobile device to communicate with different wireless network (fig 1).

Regarding claim 5, Christoffel and Fors teach some of limitations as applied in claim 1 above. Fors further teaches communicating over a wireless network (fig 2A); detecting mobile device is roaming outside of wireless network (column 2, lines 58-65); Fors further teaches to sending message to MSC of mobile network using mobile network control channel (Fors, fig. 1), wherein message instructs MSC to route voice data intended for mobile device using mobile voice channel (Fors, fig 1, fig 2a).

Regarding claim 6, Christoffel and Fors teaches limitations as applied in claim 5 above. Fors further teaches receiving voice data from MSC via mobile network (Fig 1).

Regarding claim 7, Christoffel and Fors teaches limitations as applied in claim 5 above. Fors further teaches about MSC to route voice data for the mobile device via the at least one mobile voice channel (Fig 2A).

Regarding claim 8 and 15, Christoffel and Fors teaches all limitations as applied in claim 1 above.

Regarding claims 9-11, and 16-18, Christoffel and Fors teaches all limitations as applied in claim 8 above. Christoffel further teaches to receive voice data from gateway via wireless network (fig 16, page 12, paragraph 0131). It also teaches about MSC to route voice data intended for the mobile device to IP address via linked gateway and wireless network (Fig 17). Further it also teaches mobile device is in communication with different wireless network (fig 16).

Regarding claim 12, and 19, Christoffel and Fors teach some of limitations as applied in claim 1 above. Fors further teaches communicating over a wireless network (fig 2A); detecting device is roaming outside of wireless network area (column 2, lines 58-65); Fors further teaches to sending message to MSC of mobile network using mobile network control channel (Fors, fig. 1), wherein message instructs MSC to route voice data intended for mobile device using mobile voice channel (Fors, fig 1, fig 2a).

Regarding claims 13-14, and 20-21, Christoffel and Fors teaches all limitations as applied in claim 12 above. Fors teaches communicating over a wireless network (fig 2A); Christoffel teaches regarding MSC to route voice data intended for the mobile device to mobile device using voice channel (fig 17).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Patel (US 2002/0131397 A1 Sep 19, 2002) disclosed regarding method and system for high speed data transmission and reception.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jatin K. Patel whose telephone number is 571-270-1839. The examiner can normally be reached on 8-5 Mon-Fri Est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Garber can be reached on 571-272-2194. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JP

Yuwen Pan